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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

No. 3:15-cv-02113-SI

ADIDAS AMERICA, INC., a Delaware corporation; **ADIDAS AG**, a foreign entity; **ADIDAS INTERNATIONAL MARKETING B.V.**, a foreign entity; **REEBOK INTERNATIONAL LTD.**, a Massachusetts corporation; and **REEBOK INTERNATIONAL LIMITED**, a foreign entity,

Plaintiffs,

v.

TRB ACQUISITIONS LLC, a New York limited liability company,

Defendant.

**PLAINTIFFS' FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS AND
THINGS**

1- PLAINTIFFS' FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS AND THINGS

21184-0112/LEGAL129426900.1

Perkins Coie LLP
1120 N.W. Couch Street, Tenth Floor
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Phone: 503.727.2000
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Pursuant to Federal Rule of Civil Procedure 34 and Local Rule 34, Plaintiffs adidas America, Inc., adidas AG, adidas International Marketing B.V., Reebok International Ltd., and Reebok International Limited request that Defendant TRB Acquisitions LLC produce and permit Plaintiffs' counsel to inspect and copy the documents and things designated below. The documents shall be produced at the offices of Kilpatrick Townsend & Stockton, LLP, 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309, or at another mutually agreed upon location, within thirty (30) days after the date of service of this request.

I. DEFINITIONS

Plaintiffs incorporate by reference, as if fully set forth herein, the Definitions in Plaintiffs' First Set of Interrogatories.

II. INSTRUCTIONS

1. TRB is requested to produce all documents that are in its possession, custody, or control, or the possession, custody, or control of any of TRB's representatives, including persons consulted concerning any factual matter or matters of opinion relating to any of the facts or issues involved in this case; such persons include attorneys with whom TRB consulted unless TRB claims such documents are privileged or otherwise protected.
2. Each Document Request, and the portions thereof, is to be responded to separately, but responses to one Document Request, or any portion thereof, may be incorporated by reference in response to other Document Requests, or portions thereof.
3. Documents produced pursuant to these Document Requests shall be produced either in separate groups of documents responsive to each separate request or in the form and order in which they were kept by TRB in the ordinary course of business before being produced.
4. Each request for documents, whether memorandums, reports, letters, minutes, or other documents of any description, requires the production of the documents in their entirety, including all pages and attachments or exhibits, without redaction or expurgation.

2- PLAINTIFFS' FIRST REQUEST FOR
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5. If any document responsive to these requests is withheld from production, TRB must furnish a log providing the following information with respect to each withheld document:

- (a) the type of document (e.g., a letter, memorandum, note, etc.);
- (b) the date of the document;
- (c) the title of the document;
- (d) the identity (including the job title, when available) of each individual who was an author, sender, editor, addressee, or recipient of the document;
- (e) a brief description of the subject matter of the document detailed enough to permit analysis of the basis on which it is being withheld; and
- (f) a statement of the facts that constitute the basis of any claim of privilege, work product, or other grounds for nondisclosure.

6. These Document Requests are continuing in nature. Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, TRB is under a duty to supplement or correct its responses to these Document Requests in a timely manner if it learns that in any material respect a response is incomplete or incorrect. If TRB expects to obtain further information or expects the accuracy of a response to change between the time responses are served and the time of trial, TRB must state this expectation in each response. If TRB does not have all the information necessary to make a complete response to any Document Request, provide all documents that TRB does have, state that the information is incomplete, identify the information necessary to make a complete production of documents, and provide a supplemental production when TRB obtains the information necessary to do so.

III. DOCUMENT REQUESTS

REQUEST FOR PRODUCTION NO. 1. Documents that TRB has identified in response to, or upon which TRB has relied in formulating answers to, Plaintiffs' First Set of Interrogatories.

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RESPONSE:

REQUEST FOR PRODUCTION NO. 2. Documents that refer or relate to TRB's design, selection, or adoption of any Disputed Three-Stripe Design.

RESPONSE:

REQUEST FOR PRODUCTION NO. 3. Documents sufficient to identify any alternative designs considered by TRB, whether or not adopted, in connection with the process that resulted in the adoption of any Disputed Three-Stripe Design.

RESPONSE:

REQUEST FOR PRODUCTION NO. 4. Documents that refer or relate to TRB's design, selection, or adoption of the RBX Logo.

RESPONSE:

REQUEST FOR PRODUCTION NO. 5. Documents sufficient to identify any alternative designs considered by TRB, whether or not adopted, in connection with the process that resulted in the adoption of the RBX Logo.

RESPONSE:

REQUEST FOR PRODUCTION NO. 6. Documents that refer or relate to TRB's design, selection, or adoption of the RBX Mark.

RESPONSE:

**4- PLAINTIFFS' FIRST REQUEST FOR
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REQUEST FOR PRODUCTION NO. 7. Documents sufficient to identify any alternative designs considered by TRB, whether or not adopted, in connection with the process that resulted in the adoption of the RBX Mark.

RESPONSE:

REQUEST FOR PRODUCTION NO. 8. Documents that refer or relate to the steps taken by TRB to determine whether any Disputed Three-Stripe Design infringed or infringes the trademark or trade dress rights of Plaintiffs or any Third Party, including any investigation, study, survey, or search that TRB conducted or had conducted.

RESPONSE:

REQUEST FOR PRODUCTION NO. 9. Documents that refer or relate to the steps taken by TRB to determine whether the RBX Logo infringed or infringes the trademark or trade dress rights of Plaintiffs or any Third Party, including any investigation, study, survey, or search that TRB conducted or had conducted.

RESPONSE:

REQUEST FOR PRODUCTION NO. 10. Documents that refer or relate to the steps taken by TRB to determine whether the RBX Mark infringed or infringes the trademark or trade dress rights of Plaintiffs or any Third Party, including any investigation, study, survey, or search that TRB conducted or had conducted.

RESPONSE:

REQUEST FOR PRODUCTION NO. 11. Documents that refer or relate to the steps taken by TRB to determine whether the Disputed Products infringed or infringe the trademark or

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trade dress rights of Plaintiffs or any Third Party, including any investigation, study, survey, or search that TRB conducted or had conducted.

RESPONSE:

REQUEST FOR PRODUCTION NO. 12. Documents sufficient to identify the date of first sale by TRB of any product bearing the RBX Logo.

RESPONSE:

REQUEST FOR PRODUCTION NO. 13. Documents sufficient to identify the date of first sale by TRB of any product bearing the RBX Mark.

RESPONSE:

REQUEST FOR PRODUCTION NO. 14. Documents sufficient to identify the date of first sale by TRB of any product bearing a Disputed Three-Stripe Design.

RESPONSE:

REQUEST FOR PRODUCTION NO. 15. Documents sufficient to identify the date of first sale by TRB of each Disputed Product.

RESPONSE:

REQUEST FOR PRODUCTION NO. 16. A representative sample or photograph of each Disputed Product.

RESPONSE:

REQUEST FOR PRODUCTION NO. 17. Documents sufficient to identify the time period(s) during which each Disputed Product was marketed, promoted, sold, or offered for sale.

RESPONSE:

REQUEST FOR PRODUCTION NO. 18. Documents that refer or relate to the quality, durability, or performance characteristics of each Disputed Product, including documents that refer or relate to any testing, investigation, or study that TRB conducted or had conducted.

RESPONSE:

REQUEST FOR PRODUCTION NO. 19. Representative samples of each type of label, tag, or packaging that has been used in connection with each Disputed Product, with documents sufficient to identify when each such label, tag, or packaging was used.

RESPONSE:

REQUEST FOR PRODUCTION NO. 20. Documents that refer or relate to TRB's registrations of, or its prospective or actual applications to register, any Disputed Three-Stripe Design (as a trademark, copyright, or the subject of a patent) or any element of the thereof, excluding the RBX logo.

RESPONSE:

REQUEST FOR PRODUCTION NO. 21. Documents that refer or relate to TRB's registrations of, or its prospective or actual applications to register, the RBX logo (as a trademark, copyright, or the subject of a patent).

RESPONSE:

REQUEST FOR PRODUCTION NO. 22. Documents that refer or relate to TRB's registrations of, or its prospective or actual applications to register, the RBX Mark (as a trademark, copyright, or the subject of a patent).

RESPONSE:

REQUEST FOR PRODUCTION NO. 23. Representative examples of TRB's advertising, promotional materials, packaging, catalogs, data sheets, instructional materials, media documents, and other printed materials that refer or relate to the use or promotion of any Disputed Product.

RESPONSE:

REQUEST FOR PRODUCTION NO. 24. Documents that refer or relate to TRB's expenditures for the advertising or promotion of any Disputed Product, including expenditures for websites or web pages featuring any Disputed Product.

RESPONSE:

REQUEST FOR PRODUCTION NO. 25. Documents that refer or relate to expenditures by any Third-Party licensee of TRB for the advertising or promotion of any Disputed Product, including expenditures for any Third-Party websites or web pages featuring any Disputed Product.

RESPONSE:

REQUEST FOR PRODUCTION NO. 26. Documents sufficient to identify the geographic areas in which each Disputed Product has been promoted, distributed, sold, or offered for sale.

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RESPONSE:

REQUEST FOR PRODUCTION NO. 27. Documents sufficient to identify each store, website, or other outlet through which each Disputed Product has been sold or offered for sale.

RESPONSE:

REQUEST FOR PRODUCTION NO. 28. Documents sufficient to identify how and when TRB first learned of each of Plaintiff's Marks.

RESPONSE:

REQUEST FOR PRODUCTION NO. 29. Documents that refer or relate to TRB's communications with any of its customers, clients, sellers, distributors, licensors, or licensees concerning any of the Plaintiffs or Plaintiffs' Marks.

RESPONSE:

REQUEST FOR PRODUCTION NO. 30. Documents that refer or relate to TRB's communications with any of Plaintiffs' customers, clients, sellers, distributors, licensors, or licensees concerning any of the Plaintiffs or Plaintiffs' Marks.

RESPONSE:

REQUEST FOR PRODUCTION NO. 31. Documents that refer or relate to TRB's communications with Seduka, LLC concerning any of the Plaintiffs or Plaintiffs' Marks.

RESPONSE:

REQUEST FOR PRODUCTION NO. 32. Documents that refer or relate to TRB's communications with One Step Up, Ltd. or Harry Adjmi concerning any of the Plaintiffs or Plaintiffs' Marks.

RESPONSE:

REQUEST FOR PRODUCTION NO. 33. Documents that refer or relate to TRB's communications with United Legwear Co., LLC concerning any of the Plaintiffs or Plaintiffs' Marks.

RESPONSE:

REQUEST FOR PRODUCTION NO. 34. Documents sufficient to identify the demographic characteristics of typical or target consumers (*i.e.*, end users) of each Disputed Product.

RESPONSE:

REQUEST FOR PRODUCTION NO. 35. Documents sufficient to identify the psychographic characteristics of typical or target consumers (*i.e.*, end users) of each Disputed Product.

RESPONSE:

REQUEST FOR PRODUCTION NO. 36. Documents that refer or relate to any research (including focus groups, polls, surveys, interviews, and market analysis) that TRB conducted or had conducted concerning target or typical consumers of any Disputed Product.

RESPONSE:

10- PLAINTIFFS' FIRST REQUEST FOR
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REQUEST FOR PRODUCTION NO. 37. Documents that refer or relate to any research (including focus groups, polls, surveys, interviews, and market analysis) that TRB conducted or had conducted concerning any Disputed Three-Stripe Design.

RESPONSE:

REQUEST FOR PRODUCTION NO. 38. Documents that refer or relate to any research (including focus groups, polls, surveys, interviews, and market analysis) that TRB conducted or had conducted concerning the RBX Logo.

RESPONSE:

REQUEST FOR PRODUCTION NO. 39. Documents that refer or relate to any research (including focus groups, polls, surveys, interviews, and market analysis) that TRB conducted or had conducted concerning the RBX Mark.

RESPONSE:

REQUEST FOR PRODUCTION NO. 40. Documents that refer or relate to any research (including focus groups, polls, surveys, interviews, and market analysis) that TRB conducted or had conducted concerning Plaintiffs or any of Plaintiffs' Marks.

RESPONSE:

REQUEST FOR PRODUCTION NO. 41. Documents sufficient to identify the prices, including wholesale and suggested retail (as well as any other price category utilized by TRB in the ordinary course of business), at which each Disputed Product has been sold or offered for sale.

RESPONSE:

11- PLAINTIFFS' FIRST REQUEST FOR
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REQUEST FOR PRODUCTION NO. 42. Documents that refer or relate to any Third Party's sale or offer for sale of products incorporating a design that TRB contends is similar to adidas's Three-Stripe Mark (*see, e.g.*, Complaint ¶¶ 20–33, Exs. 1–13) or any Disputed Three-Stripe Design.

RESPONSE:

REQUEST FOR PRODUCTION NO. 43. Documents that refer or relate to any Third Party's sale or offer for sale of products incorporating a design that TRB contends is similar to adidas's Badge of Sport (*see, e.g.*, Complaint ¶¶ 34–35, Ex. 14) or the RBX Logo.

RESPONSE:

REQUEST FOR PRODUCTION NO. 44. Documents that refer or relate to any Third Party's sale or offer for sale of products incorporating a design that TRB contends is similar to Reebok's RBK Mark (*see, e.g.*, Complaint ¶¶ 48–55, Exs. 19–21) or the RBX Mark.

RESPONSE:

REQUEST FOR PRODUCTION NO. 45. Documents that refer or relate to any royalties TRB has paid, whether formally or informally, to license or use the trademarks or trade dress of a Third Party.

RESPONSE:

REQUEST FOR PRODUCTION NO. 46. Documents that refer or relate to any royalties TRB has offered to pay, whether formally or informally, to license or use the trademarks or trade dress of a Third Party.

12- PLAINTIFFS' FIRST REQUEST FOR
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RESPONSE:

REQUEST FOR PRODUCTION NO. 47. Documents sufficient to identify each Third Party that has licensed the RBX Logo from TRB.

RESPONSE:

REQUEST FOR PRODUCTION NO. 48. Documents that refer or relate to any royalties any Third Party has paid TRB, whether formally or informally, to license or use the RBX Logo.

RESPONSE:

REQUEST FOR PRODUCTION NO. 49. Documents that refer or relate to any royalties any Third Party has offered to pay TRB, whether formally or informally, to license or use the RBX Logo.

RESPONSE:

REQUEST FOR PRODUCTION NO. 50. Documents sufficient to identify each Third Party that has licensed any Disputed Three-Stripe Design from TRB.

RESPONSE:

REQUEST FOR PRODUCTION NO. 51. Documents that refer or relate to any royalties any Third Party has paid TRB, whether formally or informally, to license or use any Disputed Three-Stripe Design.

RESPONSE:

13- PLAINTIFFS' FIRST REQUEST FOR
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REQUEST FOR PRODUCTION NO. 52. Documents that refer or relate to any royalties any Third Party has offered to pay TRB, whether formally or informally, to license or use any Disputed Three-Stripe Design.

RESPONSE:

REQUEST FOR PRODUCTION NO. 53. Documents sufficient to identify each Third Party that has licensed any RBX Mark from TRB.

RESPONSE:

REQUEST FOR PRODUCTION NO. 54. Documents that refer or relate to any royalties any Third Party has paid TRB, whether formally or informally, to license or use any RBX Mark.

RESPONSE:

REQUEST FOR PRODUCTION NO. 55. Documents that refer or relate to any royalties any Third Party has offered to pay TRB, whether formally or informally, to license or use any RBX Mark.

RESPONSE:

REQUEST FOR PRODUCTION NO. 56. Documents that refer or relate to communications between TRB and One Step Up, Ltd. or Harry Adjmi that refer or relate to any Disputed Marks.

RESPONSE:

REQUEST FOR PRODUCTION NO. 57. Documents that refer or relate to communications between TRB and United Legwear Co., LLC that refer or relate to any Disputed Marks.

RESPONSE:

REQUEST FOR PRODUCTION NO. 58. Documents that refer or relate to any instance of which TRB has actual or hearsay knowledge, directly or indirectly, of any inquiry regarding or suggestion of any connection of any type between TRB and Plaintiffs, any Disputed Marks and any of Plaintiffs' Marks, or any Disputed Product and any of Plaintiffs' products. For illustrative purposes only and without limiting the foregoing, such instances would include misdirected inquiries, orders, cancellations, or returns, misassumptions as to source or origin, and comments, complaints, or expressions by any person indicating an assumption or belief as to association or connection between TRB or any of its products and Plaintiffs or any other apparel or footwear company.

RESPONSE:

REQUEST FOR PRODUCTION NO. 59. Documents that refer or relate to adidas.

RESPONSE:

REQUEST FOR PRODUCTION NO. 60. Documents that refer or relate to Reebok.

RESPONSE:

REQUEST FOR PRODUCTION NO. 61. Documents that refer or relate to adidas's Three-Stripe Mark (*see, e.g.*, Complaint ¶¶ 20–33, Exs. 1–13) or stripes on adidas apparel or footwear.

15- PLAINTIFFS' FIRST REQUEST FOR
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RESPONSE:

REQUEST FOR PRODUCTION NO. 62. Documents that refer or relate to adidas's Badge of Sport (*see, e.g.*, Complaint ¶¶ 34–35, Ex. 14).

RESPONSE:

REQUEST FOR PRODUCTION NO. 63. Documents that refer or relate to Reebok's RBK Mark (*see, e.g.*, Complaint ¶¶ 48–55, Exs. 19–21).

RESPONSE:

REQUEST FOR PRODUCTION NO. 64. Photographs or depictions of any of Plaintiffs' Marks within TRB's possession, custody, or control.

RESPONSE:

REQUEST FOR PRODUCTION NO. 65. Documents sufficient to identify TRB's monthly and annual gross revenue (including any royalty revenue) from the sale of each Disputed Product.

RESPONSE:

REQUEST FOR PRODUCTION NO. 66. Documents sufficient to identify the number of units of each Disputed Product sold by TRB monthly and annually.

RESPONSE:

REQUEST FOR PRODUCTION NO. 67. Documents sufficient to identify any elements of cost or deduction claimed by TRB under 15 U.S.C. § 1117.

RESPONSE:

REQUEST FOR PRODUCTION NO. 68. Documents that refer or relate to any trademark or trade dress infringement claim, objection, demand, or other assertion communicated to TRB by a Third Party, whether or not such communication resulted in a lawsuit.

RESPONSE:

REQUEST FOR PRODUCTION NO. 69. Documents that refer or relate to any trademark or trade dress infringement claim, objection, demand, or other assertion communicated by TRB to a Third Party, whether or not such communication resulted in a lawsuit.

RESPONSE:

REQUEST FOR PRODUCTION NO. 70. Documents that refer or relate to any dispute between TRB and Seduka, LLC involving the RBX Logo or the RBX Mark, including any documents produced by TRB in discovery in such a dispute.

RESPONSE:

REQUEST FOR PRODUCTION NO. 71. Documents that refer or relate to any communications between Eli Yedid and Joe or Michael Dahan that refer or relate to the RBX Logo, the RBX Mark, or any of Plaintiffs' Marks.

RESPONSE:

17- PLAINTIFFS' FIRST REQUEST FOR
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REQUEST FOR PRODUCTION NO. 72. Documents that refer or relate to any loss, destruction, deletion, or purging of TRB's communications or other documents since February 18, 2015.

RESPONSE:

REQUEST FOR PRODUCTION NO. 73. Documents that refer or relate to TRB's assertion that it has "used the RBX Marks on products that have been offered for sale or sold in the United States since as early as 2002 with respect to socks and as early as 2007 with respect to other apparel." (Dkt. 24 ¶ 6).

RESPONSE:

REQUEST FOR PRODUCTION NO. 74. Documents that refer or relate to TRB's assertion that "the letters 'RB' have been used by TRB's predecessor in interest since as early as 2007." (Dkt. 24 ¶ 6).

RESPONSE:

REQUEST FOR PRODUCTION NO. 75. Documents that refer or relate to TRB's assertion that "Plaintiffs' claims are barred in whole or in part by the applicable two year statute of limitations in the state of Oregon and any other applicable statute of limitations."

RESPONSE:

REQUEST FOR PRODUCTION NO. 76. Documents that refer or relate to TRB's assertion that "Plaintiffs' claims are barred in whole or in part due to waiver."

RESPONSE:

18- PLAINTIFFS' FIRST REQUEST FOR
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REQUEST FOR PRODUCTION NO. 77. Documents that refer or relate to TRB's assertion that "Plaintiffs' claims are barred in whole or in part pursuant to the doctrine of laches."

RESPONSE:

REQUEST FOR PRODUCTION NO. 78. Documents that refer or relate to TRB's assertion that "Plaintiffs' claims are barred in whole or in part due to their unclean hands."

RESPONSE:

REQUEST FOR PRODUCTION NO. 79. Documents that refer or relate to TRB's assertion that "Plaintiffs' claims are barred in whole or in part by the doctrine of estoppel."

RESPONSE:

REQUEST FOR PRODUCTION NO. 80. Documents that refer or relate to TRB's assertion that "Plaintiffs' claims are barred in whole or in part by the doctrine of acquiescence."

RESPONSE:

REQUEST FOR PRODUCTION NO. 81. Documents that refer or relate to TRB's assertion that "Plaintiffs' state law dilution claims are barred because they are preempted by federal law and TRB's ownership of federal trademark registrations."

RESPONSE:

REQUEST FOR PRODUCTION NO. 82. Documents that refer or relate to TRB's assertion that "Plaintiffs have failed to mitigate their damages, if any."

RESPONSE:

19- PLAINTIFFS' FIRST REQUEST FOR
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REQUEST FOR PRODUCTION NO. 83. Documents that refer or relate to TRB's assertion that "Plaintiffs would be unjustly enriched if allowed to recover on their Complaint."

RESPONSE:

REQUEST FOR PRODUCTION NO. 84. Documents that refer or relate to TRB's assertion that "Plaintiffs have used their trademark registrations to improperly and unfairly promote a monopoly and restrict competition, and therefore should be denied enforcement of any purported rights therein."

RESPONSE:

REQUEST FOR PRODUCTION NO. 85. Documents that refer or relate to TRB's monitoring of its websites for visits, hits, or traffic from users or IP addresses at Plaintiffs or the law firms of Kilpatrick Townsend & Stockton LLP or Perkins Coie LLP.

RESPONSE:

REQUEST FOR PRODUCTION NO. 86. Documents that refer or relate to communications between TRB and any Third Party regarding this civil action.

RESPONSE:

REQUEST FOR PRODUCTION NO. 87. Documents that refer or relate to communications between TRB and any insurance company (including any agent, adjuster, or other employees thereof) regarding any of the Disputed Marks or this civil action.

RESPONSE:

20- PLAINTIFFS' FIRST REQUEST FOR
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REQUEST FOR PRODUCTION NO. 88. Documents sufficient to identify each Person that TRB may call as a fact witness at any hearing or at the trial of this civil action.

RESPONSE:

REQUEST FOR PRODUCTION NO. 89. Documents that refer or relate to the opinions of any expert engaged by TRB in connection with this civil action, whether or not such expert actually will testify in this civil action, including documents relied on, considered, or examined by the expert for his or her opinions.

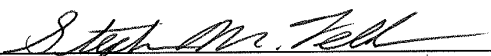
RESPONSE:

REQUEST FOR PRODUCTION NO. 90. Documents that refer or relate to the opinions of any expert engaged by TRB in connection with any dispute with Seduka, LLC, whether or not such expert actually will testify in this civil action, including documents relied on, considered, or examined by the expert for his or her opinions.

RESPONSE:

DATED: January 15, 2016

PERKINS COIE LLP

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Attorneys for Plaintiffs

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Attorneys for Plaintiffs

22- PLAINTIFFS' FIRST REQUEST FOR
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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS** on:

Kenneth R. Davis II
Parna A. Mehrbani
Lane Powell PC
601 SW Second Avenue, Suite 2100
Portland, OR 97204-3158

Attorneys for Defendant

Michelle Mancino Marsh
Allen G. Reiter
Eric Roman
Arent Fox LLP
1675 Broadway
New York, NY 10019

Attorneys for Defendant

by causing a full, true, and correct copy thereof, addressed to the last-known office address of the attorney or registered agent, to be sent by the following indicated method or methods (unless indicated otherwise above), on the date set forth below:

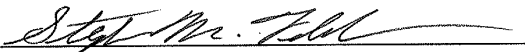
☐ By **mailing** in a sealed, first-class postage-prepaid envelope and deposited with the U. S. Postal Service at Portland, Oregon.

☒ By **email transmission** to davisk@lanepowell.com; mehrbanip@lanepowell.com; TRB-ADIDAS@arentfox.com.

☐ By **hand delivery**.

DATED: January 15, 2016

PERKINS COIE LLP

By 
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